



Amherst Police Department
Incident Report

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04/13/2016

Incident #: 16-120-OF
Call #: 16-5190

Date/Time Reported: 03/27/2016 0958
Report Date/Time: 04/04/2016 1214
Occurred Between: 03/26/2016 2100-03/26/2016 2200
Status: Incident Open

Reporting Officer: Sergeant Brian Daly

Approving Officer: Sergeant Brian Daly

Signature: *[Signature]* #75

Signature: _____

#	OFFENSE (S)	ATTEMPTED	TYPE
	LOCATION TYPE: Restaurant/Cafeteria PANDA EAST 103 NORTH PLEASANT ST AMHERST MA 01002		Zone: Center East District
1	LIQUOR TO PERSON UNDER 21, SELL/DELIVER 138/34 138 34 OCCURRED: 03/26/2016 2100 SUSPECTED OF USING: Alcohol BIAS AGAINST: No Bias	N	Misdemeanor

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	SCORPION BOWL QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 04/04/2016	VALUE: \$5.00	Evidence (Not Nibrs Reportable)

NARRATIVE FOR SERGEANT BRIAN C DALY

Ref: 16-120-OF

Entered: 04/04/2016 @ 1226 Entry ID: 75
Modified: 04/04/2016 @ 1231 Modified ID: 75
Approved: 04/04/2016 @ 1300 Approval ID: 75

Report of Detective Sergeant Brian Daly

On 3/10/16, Lt. Young and I conducted surveillance and undercover operations in an attempt to uncover whether or not Panda East has continued serving Scorpion Bowl cocktails to underaged individuals.

Detective Humber and I have been researching social media sites using Media Sonar. We have located approximately a dozen photographs containing pictures of students drinking Scorpion Bowls at Panda East. Using the media source feature of Media Sonar as well as other investigative means, we were able to confirm that several of the girls posted in the photos were 18 and 19 years old.

I previously contacted Lt. Robert Thrasher at The University of Massachusetts Police Department. I had requested two police cadets from their cadet program. Lt. Thrasher provided two cadets from the program. The first was [redacted] is 22 years old and is a graduating senior. The second is [redacted] is 20 years old and had previously done an internship with this department.

Lt. Young had previously secured a \$20 dollar bill to purchase the alcohol. The bill was photocopied, and a copy is attached to this report. The serial # of the bill is ML10321941D.

At 1900 hours [redacted] arrived at APD. As a brief, they were advised to enter Panda East, and upon getting a seat, order a Scorpion Bowl. If they are asked for identification, [redacted] will produce his, but [redacted] will not have hers. Once the bowl is delivered, [redacted] can have a sip to make sure it contains alcohol, and [redacted] can come out and let us know what occurred. Lt. Young and I would be in an unmarked police car in the entrance to the Post Office on Kellogg Avenue. This spot gives us unrestricted vision to the front door of Panda East. Detective Humber would transport [redacted] and [redacted] to the parking lot outside of Panda East and wait for them to come out. [redacted] and [redacted] were asked if they had any questions, which they did not.

Lt. Young and I proceeded to our position at the Post Office, and a short time later, Detective Humber pulled in with [redacted] and [redacted]. They entered Panda East and were immediately seated. We were able to see them through a window from our vantage point. A short time later, [redacted] exited alone, and Lt. Young and I went to speak with her. She relayed the following:

-Upon entering, they sat down and a waiter came over. [redacted] ordered a Scorpion Bowl. The waiter asked for ID, and he provided it. The waiter then left and brought back a small Scorpion Bowl (for 1) with 1 straw. The waiter never asked what [redacted] wanted. [redacted] came outside and relayed this information.

-We advised [redacted] to go back in and order one as well. If they ask [redacted] for ID, she will say she left it at home. If they refuse her, they can just pay their bill and come out. When they do, Detective Humber would bring them back to UMPD.

[redacted] went back in, and about 2 minutes later, she came back out and told us they would not serve her without ID. We thanked [redacted] and she went back in and waited for [redacted]. Lt. Young and I cleared. Detective Humber returned the pair to UMPD, and secured the change from the bowl and a receipt. These were forwarded to Lt. Young.

On Friday morning, 3/11/16, Lt. Young and I met with you regarding Panda East. At your request, we will initiate another operation for a later date, to confirm they have fixed any identification issues.

On 3/27/16, I was contacted by Detective Forcum, who made me aware of an issue at Panda East on Saturday

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night, 3/26/16. Detective Forcum advised a 17 year old female had been served alcohol at Panda East, and subsequently threw up on a PVTA bus. The PVTA contacted an AFD ambulance. The female was then transported to Cooley Dickinson hospital by AFD.

On 3/29/16, I spoke with the mother of the female, identified as . Her daughter is an 11th grade student at High School. and three other 11th graders came to Amherst to stay with the cousin of one of friends. then asked the name of the her friends cousin. Suddenly, I could hear a voice later ID'd as r. ; the 17 year old daughter. She was half screaming and half crying. She yelled "it's over, I am not telling you who it is!"

explained the police were on the phone, and they needed answers about what was happening. was crying and yelling that it was her fault and she takes responsibility. I told that I would like to talk to if it was alright. stated it was and told that I would like to speak with her. A few seconds later I heard a young female voice on the phone. I introduced myself and confirmed it was . I told her that I was not trying to get her or her friends in trouble. I was not going to charge them, or anything. I told her I have a restaurant in town serving alcohol to minors, and that can't happen. I could hear voice change, and she calmed down and agreed to talk to me.

I asked what happened, and she relayed the following:

- and her friends came to Amherst. Upon getting here, she met with friends, and they went to Panda East for drinks.
- All of friends were under 21 years of age. They entered Panda East and the restaurant was busy. The patrons were predominantly college aged.
- s table was served by a waitress. All of the youth's ordered Scorpion Bowls for one. Upon ordering, they were not asked for identification. They were all provided Scorpion Bowls for one and they served a second round later, again without asking for proof of age.
- aid they left, returned to the dorms, and a short time later, the effects of the alcohol began to overwhelm her and she was later transported to CDH.

I thanked for her time, and asked to speak with again. I advised I would be contacting Chief Livingstone for administrative action.

Investigation to continue.